

1904-023 Chancery Causes: Charles Christian vs. E. J. Goins  
Lee Co.

CA-Debt  
T-Property



TO THE HONORABLE H. A. W. SKEEN, JUDGE OF THE CIRCUIT COURT  
FOR LEE COUNTY:

Humbly complaining, Your Orator, CHARLES  
CHRISTIAN, would respectfully represent and show unto Your  
Honor:

That on the 30th day of November, 1900, E. J. GOINS  
executed and delivered to Your Orator his certain promissory  
note payable six months after date thereof for the sum of  
\$20.00, which note was made payable to Your Orator at Con-  
cordia, Kansas, at the Cloud County Bank, with interest at  
the rate of 10% from the date thereof, which is the legal  
rate of interest in the state of Kansas where the said note  
was made and payable according to the terms of the said note,  
as will be seen from the same which is here filed as  
"Exhibit A" with this bill.

Your Orator would represent and show unto Your Honor, that  
the said E. J. Goins, nor any person for him, has paid the  
said note, or any part thereof, although often requested  
so to do. Your Orator would further represent and show  
unto Your Honor, that the said E. J. Goins is a non-resident  
of the state of Virginia and has estate and debts owing to  
him within the county of Lee in the said state. Your  
Orator alleges that the said debt of \$20.00 with interest  
thereon as aforesaid is due, just and unpaid, and that your  
said Orator ought to recover the said sum of money from the  
said Goins. Your Orator further represents and will  
show unto Your Honor, that the said Goins is the owner of  
a farm situated in Lee County, Virginia, on what is known as  
Blackwater, about eight miles southeast of Jonesville, Va;  
and being the same tract of land which he purchased from the  
heirs of Fielder Goins, deceased, and known as the  
Fielder Goins Farm, as will be seen by



reference to the conveyance from Jacob Goins and other heirs of Fielder Goins to E. J. Goins and wife, Isabel, Your Orator further represents unto Your Honor that the said Goins is the owner of other land situated in Lee County, Virginia, but the said Fielder Goins farm is more than amply sufficient to pay the said debt of your said Orator, and the costs of this suit.

The premises considered, Your Orator is advised that he has a right to maintain this suit in chancery for the purpose of having the said land attached and sold, or enough thereof as shall be necessary to satisfy the payment of the aforesaid debt with the interest thereon, as aforesaid and the costs of this suit.

The prayer, therefore, of Your Orator is, that the said E. J. Goins be made a party to this suit; that an order of publication be made, posted and published against him, as the law requires for non-resident defendants; that the said real estate be attached; and that upon a hearing a decree be rendered directing a sale of enough of the said land as shall be necessary to pay the said debt.

And may all other further and general relief be granted Your Orator that the nature of his cause and good conscience requires, and he will ever pray, etc.

Pennington Bros p. q.

Virginia, Lee County, to-wit:

I, Pearl Summers, a Notary Public in and for the County of Lee and State of Virginia, do hereby certify that R. L. Pennington, attorney for Charles Christian, the plaintiff in the above named cause, this day made oath before me that the statements made in the foregoing bill of complaint are true to the best of his knowledge and belief.

Given under my hand this, the 18th day of April, 1904.  
My commission expires the 17th day of January, 1908.

Pearl Summers - N.P.



Charles Christian

vs. <sup>3</sup>/<sub>3</sub> Bice

E. J. Gossard

Bice filed April, 18.  
1904 H. E. Goring clerk

1st May rules & a. ex-  
cited & Decree nisi.

2nd May rules Decree  
nisi confirmed & cause  
set for hearing

Costs:

Clerk \$6.53<sup>1</sup>/<sub>2</sub>

Shff 1.00

attf 5.00<sup>1</sup>/<sub>2</sub>

Printer \$6.40  
18.93

Pennington Bros.

ATTORNEYS AT LAW,

JONESVILLE AND PENNINGTON GARVA.



CHAS. CHRISTIAN, COMPLAINANT

v.

E. J. GOINS, DEFENDANTS.

This cause came on this day to be heard upon the motion of the plaintiff and on his motion this cause is dismissed and stricken from the docket.

*[Handwritten notes and signatures in the left margin, including "Plaintiff" and "Defendant"]*

*[Handwritten notes and signatures in the right margin, including "Plaintiff" and "Defendant"]*

HTAQT



Chas. Christian

v. <sup>and</sup> ~~Merriam~~

E. J. Goins

Eu. Chy. Q. B. No. 7  
page 1508

Enter this Sept  
20, 1904  
H. C. W. Stum

stricken from the docket.

of the plaintiff and on his motion this cause is dismissed and

This cause came on this day to be heard upon the motion

E. J. GOINS, DEFENDANTS.

v.

CHAS. CHRISTIAN, COMPLAINANT



In the Clerk's Office of the ~~Leicuit~~ Court of the County of

Lee, April 18,

190~~4~~

Charles Christian

Plaintiff

v

E. J. Goins

Defendant

In  
Chancery

This day ~~Robt. A. Cunningham~~ <sup>agent for Charles Christian</sup> made oath before me, ~~H. C. Cunningham~~ <sup>H. C. Cunningham</sup>

Clerk of the said Court, that the claim of the plaintiff asserted in this suit amounts to ~~Twenty~~ <sup>Twenty</sup>

~~Sells with interest at 10% from Nov 30, 1900 till paid~~

and is just; that there is present cause of action therefor; that the defendant ~~E. J. Goins~~

~~is not~~

resident of this State; and that he (the affiant) believes the said defendant ~~E. J. Goins~~

has ~~S~~ estate or debts due ~~him~~ within the said ~~County of Lee~~

Given under my hand as clerk of the said court, the day and year first above written.

~~H. C. Cunningham~~ Clerk

*Chas. Christian*

Affidavit for Attachment

vs.

vs.

Estate of Non-Resident Debtor.

*E. Garcia*



In the Clerk's Office of the Levee Court of the Co. of  
Lee

Charles Christian

against

Plaintiff ,

E. J. Goss

Defendant .

This day Robt. A. Cunningham personally appeared  
before me H. C. Ewing Clerk of the said Court,  
and being duly sworn, made oath that E. J. Goss

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this

7 day of June 1904  
H. C. Ewing Clk.



*Charles Christian*

vs.

}

AFFIDAVIT FOR ORDER

OF

PUBLICATION.

*E. J. Goins*

*Cunnington Bros.* p. q.



In the Clerk's Office of the Circuit Court of the County of  
*Lee* on the *7<sup>th</sup>* day of *June* 19*04*.

*Chas. Christian*

Plaintiff

against

*E. J. Goins*

Defendant.

The object of this suit is to *attach the real estate of E. J. Goins & sell the same or enough thereof to pay the sum of \$2000, with interest thereon from the 30<sup>th</sup> day of Nov. 1900, at the rate of 10% per annum due by note, & the costs of this suit.*

And an affidavit having been made and filed that the defendant

*E. J. Goins*

*is*

not resident of the State of Virginia, it is ordered that *he* do appear here within *15 days* after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the *Southwest Virginian*, and that a copy be posted at the front door of the court-house of this *County* on ~~the first day of the next term of the~~ *or before the next rule day* ~~Court.~~

A copy—Teste:

*Remington Bros* p. q.

*H. C. T. Ewing*

Clerk.



Chas. Christian

ORDER OF  
PUBLICATION.

vs.

E. J. Goins,

Virginia, Lee County, to-wit:

I, H. L. Ewing, Clerk for said county, in the state of Va., do certify that I posted a <sup>true</sup> copy of the within order of publication at the front door of the court-house of said county on this the 7<sup>th</sup> day of June, 1904.

Given under my hand this 7<sup>th</sup> day of June, 1904.

H. L. Ewing, Clerk.



The Commonwealth of Virginia:

*To the Sheriff of the County of Lee, Greeting:*

WE COMMAND YOU, that you summon E. J. Goins

to appear at the Clerk's office of the Circuit Court of the County of Lee at the rules  
to be held for the said Court, on the 1st Monday in May, 1904 190 ,  
to answer to a bill in chancery, exhibited against him in our said Court by  
Charles Christian

H. C. T. Ewing

And have then there this writ. Witness, ~~XXX B. MUNSEY~~ Clerk of our said Court, at  
the court-house, the 18th day of April, 1904. 190 , and in the  
12 3th year of the Commonwealth.

*H. C. T. Ewing Clerk*



Virginia, Lee County to-wit:

The Plaintiff in this suit having made affidavit as required by law is hereby ordered that the officer to whom this summons is directed do attach the estate of the defendant, E. J. Goins and expecially a tract of land owned by the said E. J. Goins, situated on Blackwater in Lee County, Va. about eight miles southeast of Jonesville and being known as the Fielder Goins Farm, or so much of said real estate as may be necessary to satisfy the sum of \$20.00 with interest thereon from the 30th day of November 1900 at the rate of 10% and the costs of this suit.

*Shirley J. 150*

Lee Circuit Court.

*194 - May 1904*

Rules

*P. J. Goins*

p. q.

*E. J. Goins*

SUBPOENA  
IN  
CHANCERY.

vs.

*Charles S. Hunter*

Form No. 300

And the subject keep to answer the future order of the court.  
Given under my hand this, the 18th day of April, 1904.

*H. C. Ewing* Clerk.

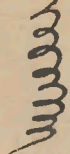
Return of Sheriff: Executed April 24, 1904 by attaching and levying upon the following real estate, the property of E. J. Goins, to-wit:

A tract of land situated on Blackwater, Lee County, Virginia, about eight miles southeast of Jonesville and being a one half interest in said tract of land conveyed by Jacob Goins and others to E. J. Goins and his wife, Isabel Goins by deed recorded in Deed Book No. 40, page 31., to which reference is here made for a full description of said land. And further executed by delivering a copy of the within summons and attachment to John Fleenor, the tenant in possession of said tract of land.

*C. J. McPherson*  
D. S. for P. M. Ball, S.E.C



Charles Christian

vs  Dr Choucey

E. J. Goss

Quayter Bros. pay No. 23